

1 JERRY Y. FONG, ESQ. (SBN 99673)
2 CAREY & CAREY
3 706 COWPER STREET
P.O. BOX 1040
PALO ALTO, CA 94302-1040
650/328-5510
650/853-3632 fax
4
5 Attorneys for Defendant
JOHN ROGER LAGACE
6
7

FILED

FEB - 4 2008

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

8 UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
10 SAN JOSE DIVISION

11
12 UNITED STATES OF AMERICA, CASE NO. CR 07-70709 HRL
13 Plaintiff,
14 vs.
15 DAVID LOUIS BEHAR, LINDSAY
ROBIN HOGUE, TARA
BERGSTRAND, and JOHN ROGER
LAGACE,
16
17 Defendants.

STIPULATION TO CONTINUE
HEARING; [proposed] ORDER

18
19
20 IT IS HEREBY STIPULATED, by Defendants and the government, through
21 their respective counsel that, subject to the Court's approval, the hearing date
22 in the above-captioned matter, presently set for Thursday, February 7, 2008,
23 at 9:30 am, be continued to Thursday, February 21, 2008. The continuance
24 has been requested because the parties need time to discuss settlement.

25 The parties further agree and stipulate that the period of time from
26 February 7, 2008 through and including February 21, 2008, should be excluded
27 pursuant to Speedy Trial Act, 18 U.S.C. §3161. Accordingly, the Untied States
28 and the defendants agree that granting the requested exclusion of time will

1 serve the interests of justice and outweigh the interest of the public and
2 defendants in a speedy trial.

3
4 DATED: January 31, 2008 CAREY & CAREY

5
6 /s/
7 JERRY Y. FONG, Attorneys for
JOHN ROGER LAGACE

8
9 DATED: 1/31, 2008 /S/
10 PETER LEEMING
11 Attorney for Mr. Behar

12 DATED: 1/29, 2008 /s/
13 MANUEL ARAUJO
14 Attorney for Ms. Bergstrand

15 DATED: 1/29, 2008 /s/
16 GEOFFREY BRAUN
17 Attorney for Ms. Hogue

18 DATED: 1/29, 2008 /s/
19 JEFFREY B. SCHENK
20 Assistant U.S. Attorney

21
22
23 ORDER

24 The parties have jointly requested a continuance of the hearing set for
25 February 7, 2008.

26 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the hearing date
27 presently set for February 7, 2008, be continued to February 21, 2008, at 9:30
28 am, as well as the period of delay from February 7, 2008 to and including

1 February 21, 2008, be excluded for purposes of Speedy Trial Act computations
2 pursuant to 18 U.S.C. §3161.

3 IT IS SO ORDERED.

4 DATED: 21, 2008
5

6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

HOWARD R. LLOYD
U.S. Magistrate Judge

